OPTIONAL FORM NO. 10
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UNITED STATES GOVERNMENT

Memorandum

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
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Ident. ____
Inspection ____
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Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO : Mr. Gallagher

FROM : J. S. Peelman

SUBJECT: MURKIN

DATE: 12/12/75

1 - Mr. Adams
1 - Mr. Callahan
1 - Mr. Gallagher
1 - Mr. O'Connell
1 - Mr. Peelman
1 - Mr. Lawn
1 - Mr. Cochran
1 - Mr. Moore

This is the case involving the murder of Martin Luther King, Jr., in Memphis, Tennessee, in April, 1968.

Attached is a copy of a UPI release dated 12/11/75, in which Harold Weisberg, an author who has written several books critical of the Warren Commission, the FBI, Secret Service, and various police agencies, alleged that law enforcement units "from Tennessee to the Department of Justice" hid evidence and "contrived the story that Ray was a "lone unassisted assassin." Weisberg made the following allegations pertaining to the FBI:

ALLEGATION: There were marks on King's clothing which could not be matched to any possible effect of the bullet.

FACT: Autopsy reports in describing the damage to the right side of the face of Dr. King where the single bullet struck indicated "... there was a large gaping wound."

In the autopsy report, Dr. J. T. Francisco describes the entrance wound by stating there was "... extensive excavating lesion affecting the right side of the face ... with a fracture of the right side of the mandible." (lower jaw).

The FBI Laboratory report dated 4/29/68 sets out the following information in relation to the examination of the clothing of Dr. King.

REC-9 6019

"There is a large hole in the right front portion of the collar of the shirt. The necktie has been forcibly torn apart in the right front neck portion also. The object

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JCL:bap (9)

Enclosure

ENCLOSURE

CONTINUED - OVER

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or objects causing the damage were larger than a bullet of .30 caliber size and irregular in size as all of the yarns were broken, not cut. One or more segments of bone could not be eliminated as the cause of the damage."

ALLEGATION: The FBI knew there was no mark on the windowsill from which Ray was said to have fired the rifle.

FACT: Examination of the bathroom from which the shot was fired revealed that the bathroom window was jammed open to a height of about 3". Lt. J. D. Hamby, Homicide Bureau, Memphis Police Department, removed the windowsill because the sill "... appeared to have a recently made indentation."

The FBI Laboratory report of the examination of the windowsill dated 4/11/68, stated that the board bears a recent dent which could have been caused by a light blow from the muzzle of a weapon. The dent contains microscopic marks of the type which could be produced by the side of the barrel at the muzzle but insufficient marks for identification were left on the board due to the physical nature of the wood.

ALLEGATION: Weisberg stated that he had asked for the results of any spectrographic analysis of the bullet which killed Dr. King and was told there was none. Under his FOIA suit, he obtained such an analysis.

FACT: Under FOIA, Mr. Weisberg did request numerous material pertaining to this investigation, including the results of any spectrographic analyses.

The FBI denied this request by letter dated 6/27/75, and based this denial on the fact that James Earl Ray has an appeal pending in the U. S. 6th Circuit Court of Appeals. This denial was reversed by the Deputy Attorney General.

In his letter dated 12/1/75, Deputy Attorney General Tyler modified the denials for material by the FBI and stated, in error, that "... analyses were made only on the clothing of Dr. King at the time of his death."

The erroneous information furnished to Weisberg concerning the spectrographic analysis of the bullet came from the letter of the Deputy Attorney General to Weisberg and not from this Bureau.

ACTION: None. For information.

8-51 (Rev. 8-5-74)

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UP-050

(KING ASSASSINATION)

WASHINGTON (UPI) -- A PRIVATE INVESTIGATOR WHO SUED TO OBTAIN DOCUMENTS UNDER THE FREEDOM OF INFORMATION ACT SAID TODAY THEY SHOW FEDERAL OFFICIALS LIED AND CONTRADICTED THEMSELVES ABOUT THE ASSASSINATION OF MARTIN LUTHER KING JR.

THE CIVIL RIGHTS LEADER WAS SLAIN IN 1968 IN MEMPHIS. JAMES EARL RAY PLEADED GUILTY IN 1969 TO THE SLAYING AND WAS SENTENCED TO 99 YEARS IN PRISON.

HAROLD WEISBERG, WHO SAID HE HAS INVESTIGATED THE SLAYING FOR SEVEN YEARS, CHARGED THAT LAW ENFORCEMENT UNITS "FROM TENNESSEE TO THE DEPARTMENT OF JUSTICE" HID EVIDENCE AND "CONTRIVED" THE STORY THAT RAY WAS A "LONE, UNASSISTED ASSASSIN."

UNDER THE NEW FREEDOM OF INFORMATION ACT, WEISBERG SUED THE JUSTICE DEPARTMENT AND OBTAINED SOME OF THE KING CASE EVIDENCE.

AT A NEWS CONFERENCE TODAY, ARRANGED BY REP. JOHN CONYERS JR., D-MICH., WEISBERG SAID HE FOUND A REPORT THAT MARKS ON KING'S CLOTHING COULD NOT BE MATCHED TO ANY POSSIBLE EFFECT OF THE BULLET THAT WAS SAID TO HAVE KILLED KING. WEISBERG CHARGED THE FBI KNEW THERE WAS NO MARK ON THE WINDOWSILL, FROM WHICH RAY WAS SAID TO HAVE FIRED, THAT COULD BE MATCHED TO THE RIFLE.

WEISBERG ALLEGED THAT HE ASKED FOR ANY SPECTROGRAPHIC ANALYSIS, WHICH WOULD HAVE SHOWN THE EXACT MAKEUP OF THE SUSPECTED DEATH BULLET, AND WAS TOLD THERE WAS NONE. UNDER HIS SUIT HE OBTAINED SUCH AN ANALYSIS, HE SAID.

UPI 12-11 11:47 AES

memo to Mr Gallagher 12/11/78 JCLbgp

WASHINGTON CAPITAL NEWS SERVICE

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